

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RAYMOND GONZALEZ, on behalf of himself
and all others similarly situated,

Plaintiff,

-against-

CREATIVE RECREATIONS, INC.,

Defendant.

ANALISA TORRES, District Judge:

On July 9, 2020, this Court ordered Plaintiff to move for a default judgment by August 10, 2020. ECF No. 10. Plaintiff failed to do so. On October 15, 2020, the Court ordered Plaintiff to move for default judgment by November 10, 2020. ECF No. 11. Once again, Plaintiff failed to comply with this order.

Plaintiff has failed to comply with multiple court orders and is reminded that under Rule 41(b) of the Federal Rules of Civil Procedure, an action may be dismissed “[i]f the plaintiff fails to prosecute or to comply with [the federal rules] or a court order.” Fed. R. Civ. 41(b). “Rule 41(b) gives the district court authority to dismiss a plaintiff’s case *sua sponte* for failure to prosecute.” *Davis v. Town of Hempstead*, 597 F. App’x 31, 32 (2d Cir. 2015) (internal quotation marks omitted).

By **January 19, 2021**, Plaintiff shall submit his materials for a default judgment in accordance with Attachment A to the Court’s Individual Practices in Civil Cases. Failure to do so shall result in dismissal pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See Baptiste v. Sommers*, 768 F.3d 212 (2d Cir. 2014).

SO ORDERED.

Dated: January 7, 2021
New York, New York

USDC SDNY
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20 Civ. 3789 (AT)

ORDER



ANALISA TORRES
United States District Judge